



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/896,963 | 06/29/2001 | Minna Partanen | 4925-117 | 9991 |

7590 02/17/2004

COHEN, PONTANI, LIEBERMAN & PAVANE
551 Fifth Avenue, Suite 1210
New York, NY 10176

| |
|----------|
| EXAMINER |
|----------|

NGUYEN, JENNIFER T

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2674

DATE MAILED: 02/17/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/896,963

Applicant(s)

PARTANEN ET AL.

Examiner

Jennifer T Nguyen

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27,31-58 and 62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27,31-58 and 62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office action is responsive to amendment filed on 11/26/2003.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-27, 31-58, and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al. (U.S. Patent No. 6,088,481) in view of Gough et al. (U.S. Patent No. 5,559,942).

Regarding claims 1, 12, 32, and 43, referring to Figs. 3-10, Okamoto teaches a user interface for a handwriting recognition system used with a visual display (1/DSP) having a screen (1a), said interface comprising: means for opening a window (WN) in said display (DSP), said window (WN) permitting a user to view features of a portion of said display (DSP) over which said window (WN) is opened (col. 6, lines 20-67, col. 7, lines 1-6, lines 25-35 and lines 61-67).

Okamoto differs from claims 1, 12, 32, and 43 in that he does not specifically teach the window is semi-transparent window and the semi-transparent window having boundaries which define a contrasting area on the display and the visual display is part of a mobile telephone. However, referring to Figs. 5-7, Gough teaches a semi-transparent window (76) having boundaries which define a contrasting area on the display (20) (col. 2, lines 53-65 and col. 8, lines 36-54) and although Gough does not teach the visual display is part of a mobile telephone,

Art Unit: 2674

Gough teaches visual display is part of a small, hand-held computer (col. 1, lines 16-34).

Therefore, it would have been obvious to obtain the visual display is part of a mobile telephone in order to improve the user interface for the data communication system. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the semi-transparent window and the visual display is part of a mobile telephone as taught by Gough in the system of Okamoto in order to provide a system in particular are ideal to view a document at the user's convenience and eliminate the difficulty for the user when interact to the small display screen.

Regarding claims 2, 11, 33, and 42, Okamoto further teaches semi-transparent window is opened automatically when said user activates said input device at a point on said screen (col. 7, lines 2-6).

Regarding claims 3 and 34, Okamoto further teaches semi-transparent window opens in a predetermined size and position relative to said point on said screen (col. 1, lines 60-65 and col. 7, lines 2-6).

Regarding claims 4, 7, 35, and 38, Okamoto also teaches that means for permitting said user to alter said size of said semi-transparent window after said semi-transparent window opens (col. 7, lines 45-55 and col. 9, lines 43-61).

Regarding claims 5 and 36, Okamoto teaches means for automatically increasing said size of said semi-transparent window when said user touches said touch-activated screen at a point on said touch-activated screen which is outside said borders of said semi-transparent window after said semi-transparent window has been opened, said increased size of said semi-

Art Unit: 2674

transparent window including said point on said touch-activated screen which is outside said borders (col. 24, lines 6-13).

Regarding claims 6 and 37, Okamoto further teaches means for permitting said user to move said semi-transparent window to a new position in said display from said predetermined position after said semi-transparent window has been opened (col. 7, lines 45-55).

Regarding claims 8, 9, 39, and 40, the combination of Okamoto and Gough teaches contrasting area is of a color (i.e., translucent) which is different from a color of said portion of said display over which said semi-transparent window is opened (col. 2, lines 53-65 and col. 8, lines 36-54 of Gough).

Regarding claims 10, 13, 41, and 44, the combination of Okamoto and Gough teaches window closes automatically upon elapse of a predetermined time interval during which no touching of said touch-activated screen occurs (col. 5, lines 39-45 and lines 59-67 of Gough).

Regarding claims 14, 31, 45, and 62, Okamoto further teaches the input device is a touch-activated screen (col. 1, lines 10-15).

Regarding claims 15, 26, 46, and 57, referring Figs. 3-10, Okamoto teaches a user input system for use with an electronic device, comprising: an input device (1c); a visual display having a screen (1/DSP), said screen including means for generating an output signal in response to a signal generated by said input device (1c); means for opening a window (WN) in said display in response to said signal from said input device (1c), said window (WN) permitting a user to view features of a portion of said display over which said window (WN) is opened, said input including at least one manuscript character; means (4) for recognizing said at least one received manuscript character; and means (8) for displaying said at least one

Art Unit: 2674

recognized manuscript character on said visual display (col. 6, lines 20-67, col. 7, lines 1-6, lines 25-35 and lines 61-67).

Okamoto differs from claims 15, 26, 46, and 57 in that he does not specifically teach the window is semi-transparent window and the semi-transparent window having boundaries, which define a contrasting area on the display. However, referring to Figs. 5-7, Gough teaches a semi-transparent window (76) having boundaries, which define a contrasting area on the display (20) (col. 2, lines 53-65 and col. 8, lines 36-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the semi-transparent window as taught by Gough in the system of Okamoto in order to provide a system in particular are ideal to view a document at the user's convenience.

Regarding claims 16, 25, 47, and 56, Okamoto further teaches semi-transparent window is opened automatically in response to said input from said input device (col. 7, lines 2-6).

Regarding claims 17 and 48, Okamoto also teaches that semi-transparent window opens in a predetermined size and position relative to a point at which said at least one manuscript character is input (col. 1, lines 60-65 and col. 7, lines 2-6).

Regarding claims 18, 21, 49, and 52, Okamoto teaches means for permitting said user to alter said size of said semi-transparent window after said semi-transparent window is opened (col. 7, lines 45-55 and col. 9, lines 43-61).

Regarding claims 19 and 50, Okamoto further teaches means for automatically increasing said size of said open semi-transparent window when said at least one manuscript character is input at a point on said screen which is outside said borders of said semitransparent window after

Art Unit: 2674

said semi-transparent window has been opened, said increased size of said semi-transparent window including said point which is outside said borders (col. 24, lines 6-13).

Regarding claims 20 and 51, Okamoto also teaches that means for permitting said user to move said semi-transparent window to a new point in said display from said predetermined position after said semi-transparent window has been opened (col. 7, lines 45-55).

Regarding claims 22, 23, 53, and 54, the combination of Okamoto and Gough teaches contrasting area is of a color which is different from a color of said portion of said display over which said semi-transparent window is opened (col. 2, lines 53-65 and col. 8, lines 36-54 of Gough).

Regarding claims 24, 27, 55, and 58, the combination of Okamoto and Gough teaches window closes automatically upon elapse of a predetermined time interval during which no touching of said touch-activated screen occurs (col. 5, lines 39-45 and lines 59-67 of Gough).

Response to Arguments

4. Applicants' arguments filed 11/26/2003, have been fully considered but they are not persuasive because as follows:

In response to applicants' argument filed "the combination of Okamoto and Gough fails to teach or suggest the electronic device is a telephone". However, Gough teaches the electronic device is a small, hand-held computer (col. 1, lines 16-34). Accordingly, Gough obviously teaches any PDAs or mobile phone with the small display screen in that the user interface is easier and more convenient by the visual display.

Therefore, it is believed that the claims limitations are still met by Okamoto and Gough and the rejection is maintained.

Art Unit: 2674

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jennifer T. Nguyen** whose telephone number is **703-305-3225**. The examiner can normally be reached on Mon-Fri from 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reach at **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC. 20231


Or faxed to: 703-872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, sixth-floor (Receptionist).

Art Unit: 2674

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Jennifer T. Nguyen
02/10/2004


REGINA LIANG
PRIMARY EXAMINER